

ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]

Adopted and Filed Emergency

Pursuant to the authority of Iowa Code sections 15.104 and 15.106, the Iowa Department of Economic Development (IDED) hereby amends Chapter 104, “Targeted Industries Internship Program,” Iowa Administrative Code.

The rule defined an “Iowa student” as a student of one of the Iowa community colleges, private colleges, or institutions of higher learning under the control of the state Board of Regents. The amendments incorporate changes made to 2009 Iowa Code Supplement section 15.411 by 2010 Iowa Acts, Senate File 2076, which expand the definition of “Iowa student” to allow Iowa high school graduates attending college outside the state to participate in the Targeted Industries Internship Program.

In compliance with Iowa Code section 17A.4(3), the Department finds that notice and public participation are impractical and contrary to public interest because the changes made by 2010 Iowa Acts, Senate File 2076, were deemed of immediate importance and became effective upon enactment on February 23, 2010.

The Department also finds, pursuant to Iowa Code section 17A.5(2)“b”(2), that the normal effective date of the amendments should be waived and the amendments made effective upon filing with the Administrative Rules Coordinator on May 20, 2010. These amendments confer a benefit on the public by allowing students who are graduates of an Iowa high school but who attend institutions of higher learning outside Iowa to be eligible for an internship under the Program.

These amendments are also published herein under Notice of Intended Action as **ARC 8849B** to allow for public comment.

The Iowa Economic Development Board adopted these amendments on May 20, 2010.

These amendments are intended to implement 2009 Iowa Code Supplement section 15.411 as amended by 2010 Iowa Acts, Senate File 2076.

These amendments became effective on May 20, 2010.

The following amendments are adopted.

ITEM 1. Amend rules **261—104.1(82GA,HF829)** to **261—104.13(82GA,HF829)**, parenthetical implementation statutes, as follows:
(82GA,HF829 15)

ITEM 2. Amend rule **261—104.3(15)**, definition of “Student,” as follows:
“*Student*” means a student of one of the Iowa community colleges, private colleges, or institutions of higher learning under the control of the state board of regents or a student who graduated from high school in Iowa but attends an institution of higher learning outside the state of Iowa.

ITEM 3. Amend subrule 104.5(3) as follows:
104.5(3) An applicant must offer the internship to students of Iowa community colleges, private colleges, or institutions of higher learning under the control of the state board of regents or to students who graduated from high school in Iowa but attend an institution of higher learning outside the state of Iowa.

ITEM 4. Amend rule 261—104.7(15) as follows:

261—104.7(15) Eligible students. Students must be within one to two years of graduation and enrolled at one of Iowa’s community colleges, private colleges, or institutions of higher learning under the control of the state board of regents. A student as defined in this chapter is eligible for an internship under this rule. The department shall encourage youth who reside in economically distressed areas, youth adjudicated to have committed a delinquent act, and youth transitioning out of foster care to participate in the targeted industries internship program.

ITEM 5. Amend rule 261—104.8(15) as follows:

261—104.8(15) Ineligible students. Students who are more than two years from graduation are ineligible. Students who are immediate family members of management employees or board members of the applicant business are ineligible. Students who do not otherwise meet the eligibility requirements described in rule 261—104.7(15) are not eligible.

ITEM 6. Amend **261—Chapter 104**, implementation sentence, as follows:

These rules are intended to implement ~~2007 Iowa Acts, House File 829~~ 2009 Iowa Code Supplement section 15.411 as amended by 2010 Iowa Acts, Senate File 2076.

[Filed Emergency 5/20/10, effective 5/20/10]

[Published 6/16/10]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 6/16/10.